

# **EXHIBIT E**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION

THE RELIGIOUS SISTERS OF  
MERCY, *et al.*,

*Plaintiffs,*

v.

SYLVIA BURWELL, *et al.*,

*Defendants*

No. 3:16-cv-00386-RRE-ARS

**Declaration of Dr. Richard  
Twanow, M.D.**

---

1. My name is Dr. Richard Twanow. I am over the age of 21 and am capable of making this declaration pursuant to 28 U.S.C. § 1746. I have not been convicted of a felony or crime involving dishonesty. The facts contained herein are within my personal knowledge and medical judgment. If I were called upon to testify to these facts, I could and would competently do so.

2. I obtained my medical degree from the University of Saskatchewan. I performed a family medicine residency at the Plains Health Center in Regina, Saskatchewan. I am certified by the Canadian College of Family Physicians, and I am also certified by the American Board of Family Practice. I am licensed to practice in the State of Illinois. I currently serve as the Chairman of the Board of

Directors for St. Margaret's Hospital in SMP Health System and have held that position since 2014. I have served on the Board of Directors for St. Margaret's Hospital since 2005. I have also served previously as Chairman of the Medicine/Family Medicine Committee, and I previously served as President of the medical staff for St. Margaret's Hospital. I am also a Clinical Assistant Professor at the University of Illinois, College of Medicine at Rockford. In addition, I am the Medical Director of a long term care facility called Aperion Care in Spring Valley, Illinois.

3. I have practiced family medicine for 40 years, 20 years of which have been at SMP Health System. My practice has included the full spectrum of family medicine, including in-patient care and emergency room work. My current practice of family medicine includes children, adults, and long term care.

4. SMP Health System provides all of its standard medical services with dignity and compassion to every individual who needs and qualifies for its care, including to individuals who identify as transgender. Thus, for instance, if a transgender individual comes in with high blood pressure or a diabetes diagnosis, SMP Health System would provide the same full spectrum of compassionate care for that individual as they provide for every other patient. And, just as we do for every other patient, SMP Health System would appropriately tailor that care to the biologically sex-specific health needs of the patient.

5. The SMP Health System physicians and facilities offer services such as hysterectomies, mastectomies, endocrinology services, and psychiatric support when medically indicated and in the patient's best interest. In certain contexts, SMP Health System physicians also offer endocrinology services to pediatric patients, including children, when medically appropriate. It would be a violation of SMP Health System's commitment to quality care for all patients if it were forced to offer these services for gender transition purposes, and thus it would violate SMP Health System's medical judgment if it were forced to offer these services for a gender transition purpose.

6. Such a requirement would interfere with the very important doctor-patient relationship, a relationship that is paramount to optimal patient care. SMP Health System also does not offer the full spectrum of care and expertise necessary to safely and effectively provide gender transition services to patients. SMP Health System would also object to forcing physicians to provide services that the physicians do not believe are in the best interest of their patients. In my medical judgment, it would not be safe or good medical care to force doctors to provide gender transition services when they do not have skills, knowledge, or facilities to do them correctly and safely for the patient.

7. SMP Health System physicians are encouraged to candidly discuss their medical opinions with their patients and offer medical advice freely about the risks of any procedure with patients. A requirement that inhibited a physician's

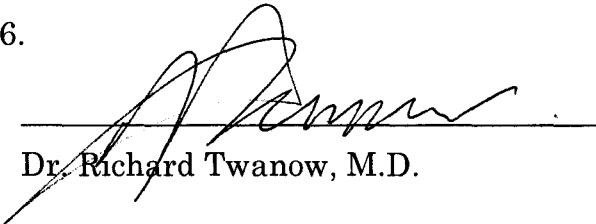
ability to engage in candid discussions with patients about the risks of gender transition procedures would be detrimental to optimal patient care.

8. Some of the procedures required under the Rule, including elective hysterectomies, can result in the sterilization of the patient, which SMP Health System also medically objects to providing.

9. In certain contexts, SMP Health System performs surgical procedures for women who have miscarried a baby, such as dilation and curettage, when medically indicated and in the patient's best interest. However, SMP Health System would be unwilling to offer the same service if the goal of the procedure was to terminate a pregnancy.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 17, 2016.



Dr. Richard Twanow, M.D.